

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JOSE A. TRUJILLO,

Applicant,

v.

CIVIL NO. 09-0914 JB/LAM

ERASMO BRAVO,

Respondent.

ORDER DENYING SECOND MOTION FOR APPOINTMENT OF COUNSEL

THIS MATTER is before the Court on Mr. Trujillo's second motion for appointment of counsel, which request he made as part of his reply to Respondent's answer to the Petition, rather than by separate motion. See *Petitioner[']s Motion[] Reply and Objections* (hereinafter "**Reply**") (*Doc. 11*) at 8. On September 30, 2009, the Court denied Mr. Trujillo's first *Motion For The Appointment of Counsel* (*Doc. 3*) finding that Mr. Trujillo appeared to understand the issues in the case and appeared to be representing himself in an intelligent and capable manner. **Order Denying Applicant's Motion For The Appointment of Counsel (Doc.3)** (*Doc. 7*). Mr. Trujillo presents no new grounds for his second request for counsel. See **Reply** (*Doc. 11*) at 8.

There is no constitutional right to court-appointed counsel in a civil case. *Johnson v. Johnson*, 466 F.3d 1213, 1217 (10th Cir. 2006). The Court has again considered "'the merits of the litigant[s'] claims, the nature of the factual issues raised in the claims, the litigant[s'] ability to present [their] claims, and the complexity of the legal issues raised by the claims.'" See *Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995) (quoting *Williams v. Meese*, 926 F.2d 994, 996 (10th Cir. 1991)).

This case does not appear to raise complex or novel issues of law that might justify the appointment of counsel. Moreover, Mr. Trujillo appears to understand the issues in the case and to be representing himself in an intelligent and capable manner. Therefore, Mr. Trujillo's second request for appointment of counsel (*Reply (Doc. 11)* at 8) will be **DENIED**.

IT IS THEREFORE ORDERED that Plaintiffs' second motion for appointment of counsel ((*Doc. 11*) at 8) is **DENIED** at this time.

IT IS SO ORDERED.


THE HONORABLE LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE